

EXHIBIT 21



Neutral
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Acromed Corp. v. Sofamor Danek Group

United States District Court for the Northern District of Ohio, Eastern Division

May 25, 1999, Filed

Case No. 1:93:CV1184

Reporter

1999 U.S. Dist. LEXIS 22874 *

ACROMED CORPORATION, Plaintiff, vs. SOFAMOR DANEK GROUP, INC., and DANEK MEDICAL, INC., Defendants.

Core Terms

motions, infringe, renew, contributory, inducement, grant a motion, renewal motion, denies, moot

Counsel: [*1] For ACROMED CORPORATION, plaintiff: Robert C. Kahrl, Esq., Calvin Pasquale Griffith, Esq., Jones, Day, Reavis & Pogue, Michael Leigh Snyder, Esq., McDonald, Hopkins, Burke & Haber, Cleveland, OH.

For ACROMED CORPORATION, plaintiff: Lester J. Savit, Esq., Jones, Day, Reavis & Pogue, Chicago, IL.

For DANEK GROUP, INC., DANEK MEDICAL, INC., defendants: Richard M. Knoth, Esq., Jayne L. Jakubaitis, Esq., Arter & Hadden, Cleveland, OH.

For DANEK GROUP, INC., DANEK MEDICAL, INC., defendants: Nicole Galli, Esq., Jon A. Baughman, Esq., Erik N. Videlock, Esq., Pepper, Hamilton & Scheetz, Philadelphia, PA.

For DANEK GROUP, INC., DANEK MEDICAL, INC., defendants: Donald R. Dunner, Esq., Thomas H. Jenkins, III, Esq., Barry D. Biddle, Esq., Finnegan, Farabow, Garrett & Dunner, Washington, DC.

For DANEK GROUP, INC., DANEK MEDICAL, INC., defendants: Daniel J. Lueders, Esq., Charles R. Reeves, Esq., Michael D. Beck, Esq., Deborah R. Knoll, Esq., Woodard, Emhardt, Naughton, Moriarty & McNett, Indianapolis, IN.

For DANEK MEDICAL, INC., defendant: Michael T. McLemore, Esq., San Antonio, TX.

For DANEK GROUP, INC., counter-claimant: Richard M. Knoth, Esq., Jayne L. Jakubaitis, [*2] Esq., Arter & Hadden, Cleveland, OH.

For DANEK GROUP, INC., counter-claimant: Daniel J. Lueders, Esq., Charles R. Reeves, Esq., Michael D. Beck, Esq., Woodard, Emhardt, Naughton, Moriarty & McNett, Indianapolis, IN.

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For ACROMED CORPORATION, counter-defendant: Robert C. Kahrl, Esq., Jones, Day, Reavis & Pogue, Cleveland, OH.

Judges: ANN ALDRICH, UNITED STATES DISTRICT JUDGE.

Opinion by: ANN ALDRICH

Opinion

ORDER

Several JMOL motions have been filed in this case. The Court rules as follows:

(1) doc. # 391 -- Danek's JMOL motion for non-infringement of the '311 patent related to the "body portion". This motion is denied;

(2) doc. # 425 -- Danek's JMOL motion to renew its Rule 50 motions previously filed. The Court grants the motion to renew its previous Rule 50 motions. The Court denies all of those previous Rule 50 motions, now renewed, with one exception. To the extent that Danek renews its JMOL motion concerning contributory infringement and inducement to infringe, that motion is denied as moot, as the Court has already granted Danek's [*3] JMOL motion concerning contributory infringement, and AcroMed has dropped inducement to infringe from the case;

(3) doc. # 446 -- Danek's second JMOL motion to

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renew its Rule 50 motions previously filed. The Court grants the motion to renew its previous Rule 50 motions. The Court denies all of those previous Rule 50 motions, now renewed, with the following exceptions: (1) the motion concerning contributory infringement and inducement to infringe is denied as moot for the reasons discussed above; and (2) the motion regarding inventorship of the '290 patent, is still pending.

IT IS SO ORDERED.

ANN ALDRICH

UNITED STATES DISTRICT JUDGE

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